

Service Date: March 6, 1996

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

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IN THE MATTER of the Complaint of)	UTILITY DIVISION
Robert E. Todd and 58 Petitioners.)	DOCKET NO. 94.1.9
)	ORDER NO. 5899

FINAL ORDER

On January 31, 1994, the Commission received a Petition from Robert E. Todd. Mr. Todd was a GTE-NW customer living in Troy. The Petition signed by 58 people requested that their multi-party service be upgraded to single-party service at a reasonable cost. This Petition was assigned Docket No. 94.1.9 and was consolidated with Docket No. 93.7.30 for hearing purposes.

On September 27, 1994, the Commission issued Final Order No. 5731 in Docket Nos. 93.7.30 & 94.1.9 which approved the sale and transfer of the Eureka, Libby and Troy exchanges from GTE-NW to Citizens Tel pursuant to a stipulation signed by GTE-NW, Citizens Tel and the Montana Consumer Counsel (MCC). In that stipulation Citizens Tel committed that during the first construction season after the closing of the sale, Citizens would accomplish outside plant upgrades in the Troy exchange and upgrade all multi-party customers to single party service in that exchange. Order No. 5731 left open Docket No. 94.1.9 to monitor progress on the provision of single party service in the Troy exchange. Since the sale, the Commission has audited Citizens Tel as well as reviewed quarterly progress reports.

On December 18, 1995, the Commission approved Tariff Transmittal 95-02 which eliminated multi-party services and mileage charges in Citizens Tel's Troy exchange. Based on this information, the Commission believes that the Todd complaint has now been resolved. On January 4, 1996, the Commission issued a Notice of Proposed Commission Action which requested comments on why this Docket should not be closed. Mr. Todd did file a comment about rates, but based on

information provided by Citizens Tel he is satisfied with the initial rates. The Commission finds that the request of subscribers in the Troy exchange for single-party service at reasonable cost has been met. There being no further matters requiring action by the Commission in this Docket, the Commission hereby closes Docket No. 94.1.9.

CONCLUSIONS OF LAW

1. The Montana Public Service Commission properly exercises jurisdiction over Citizens Tel's rates and operations. Section 69-3-102, MCA, and Title 69, Chapter 3, Part 3, MCA.

2. The Montana Public Service Commission has provided adequate public notice of all proceedings, and an opportunity to be heard to all interested parties in these Dockets. Sections 69-3-303, 69-3-104, MCA, and Title 2, Chapter 4, MCA.

ORDER

1. All matters raised by the Todd petition have been satisfied. The Commission hereby closes Docket No. 94.1.9.

DONE IN OPEN SESSION at Helena, Montana, this 4th day of March 1996, by a 5 to 0 vote.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

NANCY McCAFFREE, Chair

DAVE FISHER, Vice Chair

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

NOTE: Any interested party may request that the Commission reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.